His Highness' tour in the Dutch East Indies has been of very great educative value. The change of hours of business in the schools, Courts, and Public Offices is a reform of very far-reaching consequences. The Agricultural and Industrial Bank which is expected to be opened soon will give an impetus to the development of the industry and serve as a means of releving the indebtedness of the agriculturists. Thus, the industrialisation of the State and a new orientation of outlook in the life, culture and habits of the people will, I am sure, enable us to play a proper part in the rapidly progressing India. In His Highness the Maharaja we have a ruler who has dedicated His Life to the welfare of his people and the progress and prosperity of the State. The tour of His Highness the Maharaja in South Travancore when the agrarian population there was suffering from one of the worst droughts and the large remission of taxes on the spot are other instances of the great sympathy which His Highness the Maharaja has for the suffering subjects. Blessed are the people who are ruled by such a benevolent Sovereign. The spontaneous outbursts of joy we witness every year during the Birthday week through the length and breadth of Travancore bear ample testimony to the abiding place which His Highness the Maharaja has secured in the hearts of the subjects. We the accredited representatives of the People of the land wish to place on record our feelings of loyalty and devotion to the person and throne of His Highness the Maharaja. Echoing the sentiments expressed in the thousands of greetings that resounded throughout the country during the Birthday week I place the following motion for the acceptance of this House :—

> This Assembly respectfully tenders its loyal greetings to His Gracious Highness the Maharaja on His Highness' Twenty-Sixth Birthday and prays the almighty to vouchsafe His Gracious Highness a long happy and glorious reign.

Sir, I request you to convey this message to His Highness the Maharaja.

MR. M. L. JANARDHANA PILLAI (*Nominated*) : I second it.

PRESIDENT : Probably the best plan would be to carry the motion without any further discussion. Before doing so, may I be permitted to associate myself as the head of His Highness' Government with those expressions at once so felicitous and so appropriate in which the resolution has been moved by Mr. Varghese. This is the unanimous wish not only of every Travancorean but of every wise and patriotic Indian that His Highness will have a long, happy and glorious reign.

The motion was put to vote and carried unanimously, all the members standing.

DEMANDS FOR SUPPLEMENTARY GRANTS.

Land Revenue 3.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Sir, I move for a grant of Rs. 1,891 under Land Revenue. This amount is required for the appointment of a special Officer and staff for the investigation of the different varieties of Oodukur tenure obtaining in the various taluks of the State. I think it will be appropriate, Sir,

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f I explained at some length the object of this motion. Perhaps all he members of the House are not aware of the existence of such a system of tenure in Travancore. It is a peculiar system which obtains particularly in South Travancore, in the taluks of Kalkulam which includes also the old Eraniel taluk, Vilavancode and Neyyattinkara. It is found to some smaller extent in the taluks of Agastisvaram and Tovala. It is also found to some extent in the Quilon Division and to a little larger extent in the Kottayam Division. The peculiarity of this tenure is this. It applies to garden lands and the lands of this kind of tenure are enjoyed in a peculiar way. The land will be enjoyed by a certain set of persons and the trees will be enjoyed by perhaps a different set of persons and these enjoyments will not be equal. They will be in different proportions and curiously the lands will be under certain kinds of tenure and the trees will be under certain other kinds of tenure. In the Sirkar accounts these varieties of tenure have been recognised in the settlement. The principal kinds of Oodukur tenure which have been recognised are lands under one tenure and trees under another tenure, enjoyed by different persons: lands under one tenure and trees under the same tenure held by the same persons; and thirdly the same tree or trees held by different persons in different proportions with difference of tenure.

I shall explain at greater length as to what the kinds of tenure are. There are melkur and kizhkur tenures. That is to say, if the land is under one tenure and the trees thereon are under another tenure, the tenure of the land is kizhkur and the tenure of the trees is melkur. Now, there are very many tenures under this main classification. An examination of some of these Oodukur survey numbers has disclosed some thing like this Kizhkur Karanma, Melkur pandaraotti, Melkur pandarapattom, Kizhkur marayapattom, Melkur jenmom, Kizhkur otti, Kizhkur jenmom, Kizhkur Brahmaswom vaka otti, Melkur Devaswom pattom, Sripandaravaka Kudijenmom and so on. I think I have not exhausted all the various sub-tenures which obtain in this peculiar system.

MR. A. THANU PILLAI (*Trivandrum Town*): May I know from the member the main incidence of this melkur and Kizhkur?

MR. K. GEORGE; I have already said that Melkur is the tenure relating to the trees and kizhkur, as the name impiles, is the tenure relating to the land. The land is held under one tenure or different sets of tenure and the trees are held under other sets of tenure. A particular property which may be under a variety of tenures may be held by a large number of people jointly. When the settlement took place this joint possession was recognized and pattas were isseed in respect of the fractional part which each man was holding. I shall narrate for the information of the House the case of one particular patta survey No. 261 of Nalloor pakuthy. The fractional holdings are 55/542, 53/813, 167 5/52032, 16165/78048, 9625/468288, 9275/702432, 9625/58536, 9275/87804. These are fractional holdings of that one particular survey number. The same is true of the other two survey numbers which go along with it, survey numbers 262 and 263. This goes to prove that there is some method in this madness.

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[Mr. K. George,]

I shall now state the extent of the Oodukur holdings in the State. Trivandrum has a total of 1,09,847 Survey numbers covering an extent of 73,872 acres and 12½ cents enjoyed by 3,88,182 holders. Quilon has 1,129 survey numbers, comprising an extent of 3,206 acres and 25 cents enjoyed by 2,873 holders. Kottayam has 13,696 survey numbers covering an area of 29,144 acres and 77½ cents enjoyed by 30,871 holders.

From what I have described here it is perfectly obvious that this kind of tenure ought not to be allowed to continue. The evils of the system are manifold. Various persons have examined the working o the system and condemned it out-right. The evils they describe are in the first place there is a total neglect of the land and the trees thereon. When the enjoyment is by such a large number of people who belong to different families which have no common interests, it is only natural that both the lands and the trees are neglected and that is a fact. Secondly the tenure is complicated and gets more and more complicated by the transfers of Oodukur rights from person to person. Perhaps the origin of this system was that the Oodukur lands were once the property of joint families. Later on, a member of the joint family might have alienated a portion of his holding to somebody else and that process has been going on. At the present moment this fractional part may be disposed of either by actual sale or by otti or money may be borrowed on the security of the oodukur right by means of hypothecation. The number of persons who come into share the profits because it is the produce that is divided and not the property is very large and their interests are varied, so much so that there have been a very large number of quarrels and even murders on account of the division of these Oodukur *Anubhavoms*. It was represented by a member in the old Sri Mulam Popular Assembly that about 50 percent of the criminal cases and 75 percent of the civil cases in the taluks of Eraniel, Kalkulam, Vilavancode and Neyyattinkara have their source in this tenure.

Then there is another difficulty on the part of the Government in the matter of collection of tax. It will be seen that the pattas are issued for these fractional holdings and Government sometimes have to collect the tax from the occupants, sometimes from the pattadars and at other times from whoever pays it. That being so, there can be no difference of opinion as to the need for ending this state of affairs. In various representations in the old Sri Mulam Popular Assembly this question was raised and at one time Government declined to interfere in the matter because it was said that the parties had the right to go to a civil court and claim division. But it is not so simple as it looks. The civil court must have some special legislation to say how the rights should be a portioned. When the question was again brought up the Government asked the Special Officer who was appointed to prepare a memorandum on re-settlement to report on the point. At his suggestion a Conference was held at Thuckalay under the presidency of the then Division Peishkar Mr. Visvanatha Aiyar and it was there unanimously agreed that the system has to be ended.

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MR. K. NARAYANAPERUMAL NADAR (*Tovala* cum *Agastisvaram*): How many members attended that Conference?

MR. K. GEORGE: Over a hundred. Several of the important landholders of the taluks I have mentioned attended it and it was unanimously agreed—there was one dissentient voice, but he also later on agreed, that this system must be ended. That question was then considered by a Conference of the Land Revenue Commissioner with the Division Peishkars. They were also unanimously of opinion that the system should be ended. In that discussion it was agreed that special legislation will be necessary to bring about a termination of the system. It was then considered desirable that the various types that existed in this Oodukur system should be further examined by an experienced Land Revenue Officer. For, at the present moment we have only a list, as it were, from the settlement registers giving the survey numbers and the different kinds of tenures. But the Special Officer will have to consider the various aspects of the problem; he will have to find out the opinion of the people of the locality and he will have to hold Conferences with the landholders. He will have to make suggestions as to how best the system can be ended without causing undue hardship to the holders of land. For that purpose I made a proposal to Government for the appointment of a Special Officer with a staff for a period of six months. This Special Officer will make a further investigation into this complex question and also submit a report to Government with his views. He will also draft a bill for the special legislation which will have to be undertaken. That is the object of this motion. The sum total is Rs. 1,891 and it will cover the expenditure on account of the special officer for 3 months, as it has been dicided to sanction the appointment only for 3 months in the first instances. I hope the House will pass this grant.

MR. K. NARAYANAPERUMAL NADAR: Sir, I move that the allotment of Rs. 1,891 for the appointment of a Special Officer and staff for the investigation of the different varieties of Oodukur tenure, be omitted.

Sir, I do not intend to say anything about the history of the Oodukur tenure. That was very well stated by the Land Revenue Commissioner. I think it is better to abolish this tenure. As a matter of fact there have been representations in the old Popular Assembly and the Legislative Council for the abolition of this tenure.

Another reason why I oppose this Demand is to ask whether the report of the Special Officer when it is made will be placed before the Assembly. If an assurance can be given that this house will have the opportunity of discussing it, then I may not oppose the Demand. A few months ago a memorandum was made on the settlement of Tovala and Agastisvaram.. But that memorandum has not seen the light of day. Similarly a report was made by the Transport Committee. That too has not seen the light of day. When public money is spent for preparing a report, the people must have the opportunity to make representations consequent on the report. It has been admitted by the Indian Taxation Enquiry Committee that in matters of taxation, the Legislature has to be taken into co fidence. Now the Special Officer

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[Mr. K. Narayanaperumal Nadar.]

may make a report as he likes. If Government upheld that report without consulting the Legislature, much evil may result. I hope the Land Revenue Commissioner will accept my view and I hope the honourable members of the Nationalist party and the Independent party will support my motion. With these few words I oppose the motion.

MR. K. GEORGE: Sir, it is plain that the report will have to be considered by the House because we are going to have special legislation on the subject. Such legislation will be dependent on that report and naturally that report will be placed before the House. Further it is a matter affecting the rights of people and I do not think Government will make this a hole and corner affair. Therefore I can assure the member that the House will have an opportunity of considering the report.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the Hon'ble member speak on behalf of Government or only as the Head of the Department?

MR. K. GEORGE: I am speaking on behalf of the Government.

PRESIDENT: Every honourable member who speaks on behalf of the Treasury Bench, if he gives an undertaking, it will bind Government.

MR. K. GEORGE: Sir, I can give the assurance that the House will have an opportunity of discussing the report.

The motion was, by leane, withdrawn.

The Demand was then put and carried.

The grant was made.

ADMINISTRATION OF JUSTICE.

MR. KAYALAM PARAMESWARAN PILLAI (*Law Member to Government*): Sir, I beg to move for a supplementary grant of Rs.61,430 under "Administration of Justice". As may be seen from the printed demand paper, this sum is required for three items. One is the payment of fees to the prosecutor appointed for the conduct of the Alleppey riot cases. Honourable members are aware that there was recently a serious riot in Alleppey and a charge was preferred against a number of persons. It was a complicated case requiring careful handling and careful marshelling of evidence. A special prosecutor was therefore engaged for conducting the case. He was also required to assist in the conduct of the appeal in the High Court. He has to be paid Rs. 5,180 as remuneration.

The second item is for remuneration to Government pleaders. Honourable members are aware of the recent G. O. about the tenure and terms of Sirkar Vakils now designated Government Pleaders. The Government pleaders are proposed under the G. O. to be paid Rs. 500, in some cases Rs. 400 or Rs. 350 in other cases. They will not get any pension. After the passing of the G. O. the incumbents of the places were consulted and some were agreeble to come under the operation of the G. O. while some were not agreeable to it. This sum of Rs. 11,250 is required for payment of the Government Pleaders under the new rules.

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